

**REMARKS**

Claims 1-4 and 7-22 will be pending in the application. The drawings, the specification and claim 10 is amended. Support for the amendments to the drawings, specification and claim 10 can be found in original claim 10 and the original amended paragraph noted on page 3 of the instant amendment. Applicant notes that it is well known and/or inherent that a computer has a CPU and computer readable storage device storing program instructions to be executed by the CPU. Reconsideration of the rejected claims in view of the following remarks is respectfully requested.

***Present Amendment is Proper for Entry After Final Rejection***

Applicant respectfully submits that the instant amendment is proper for entry after final rejection for the following reasons. Applicant notes that no question of new matter is presented nor are any new issues raised in entering the instant amendment of the claims and that no new search and/or further consideration would be required. Moreover, Applicant submits that the instant amendment places the application in condition for allowance, or at least in better form for appeal. Accordingly, Applicant requests the Examiner to enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims. Applicant notes, in particular, that the instant Amendment at least addresses the Section 101 Rejection and simplifies and/or reduces issues for possible appeal.

***Allowable Subject Matter***

Applicant acknowledges and appreciates the Examiner's indication that claim 3 has been indicated to be allowed.

***35 U.S.C. § 101 Rejection***

Claims 10, 11 and 20-22 were rejected as allegedly being directed to non-statutory subject matter. Applicant submits that this rejection is moot.

While Applicant submits that claims previously satisfied the requirements of Section 101, by this Amendment, Applicant has herein amended claim 10 in a manner which is believed to resolve this basis of rejection. Applicant notes, in particular, that claim 10 has been amended to recite a computer readable storage medium which is believed to address the Section 101 Rejection.

Applicant requests that the Examiner reconsider and withdraw the above-noted rejection.

***35 U.S.C. §103 Rejections***

Applicant acknowledges the various obviousness prior art rejections in the Final office Action and respectively traverses each asserted rejection. As the instant Amendment is filed to address the Section 101 Rejection, Applicant reserves the right to address each prior art rejection, as well as each of the Examiner's comments regarding the same, in an Appeal Brief or other paper responsive to the Final Office Action.

### CONCLUSION

In view of the foregoing remarks, Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0457.

Respectfully submitted,



Andrew M. Calderon  
Registration No. 38,093

August 24, 2009  
Greenblum & Bernstein, P.L.C.  
1950 Roland Clarke Place  
Reston, Virginia 20191  
Telephone: 703-716-1191  
Facsimile: 703-716-1180